

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 10-10105-GAO

KHALID RAHEEM,
Plaintiff,

v.

HOPEFOUND, INC.,
Defendant.

ORDER
June 10, 2010

O'TOOLE, D.J.

On October 14, 2009, one year after the plaintiff, Khalid Raheem, filed a complaint for sex and religious discrimination with the Equal Employment Opportunity Commission (“EEOC”), the EEOC issued him a notice of right to sue letter. In the absence of any evidence to the contrary, the Court presumes that the EEOC mailed the letter on the day it was issued and that the plaintiff received it on October 17, 2009, three days later. See Baldwin Co. Welcome Center v. Brown, 466 U.S. 147, 148 n.1 (1984); Fed. R. Civ. P. 6(d). Ninety days from October 17, 2009 expired on January 15, 2010. The Court received and filed the plaintiff’s complaint on January 19, 2010. Consequently, this action is time-barred, see 42 U.S.C. § 2000e-5(f)(1), and the defendant’s Motion to Dismiss (dkt. no. 7), which stands unopposed, is GRANTED.

It is SO ORDERED.

/s/ George A. O'Toole, Jr.
United States District Judge